

REMARKS

Claims:

Claims 1-50 comprise the case, independent Claims 1, 15, and 40 having been amended, and Claims 51-66 withdrawn as subject to a Requirement for Restriction and unelected.

Allowable Claims 29-39:

Claims 29-39 stand allowed.

35 U.S.C. 112:

Claims 40-50 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for having the term "having data storage media" in both lines 4 and 7 of the independent Claim 40.

Accordingly, Applicant has amended Claim 40 to eliminate the second appearance of the term, so that line 7 now reads "said data storage media". Hence, Applicant respectfully submits that Claim 40 now has definite antecedent basis for the subsequent limitations to "said data storage media", and that Claims 40-50 are now definite.

35 U.S.C. 103(a):

Claims 1-28 and 40-50:

Claims 1-28 and 40-50 stand rejected under 35 U.S.C. 103(a) based upon Anderl et al. (International Publication No. 87/07062) in view of Smith (U.S. Patent No. 4,956,769), and further in view

of other patents for certain dependent claims. The additional cited patents are Davis (U.S. Patent No. 4,941,201), Wright et al. (U.S. Patent No. 6,084,969), Bapat et al. (U.S. Patent No. 6,038,563), and Hastings et al. (U.S. Patent No. 6,370,629).

A)

In the response to arguments, the Examiner stated "it is submitted that only claim 29 recites having the user table 'separate from said data storage media'. The limitations added to claim 1, 15, and 40 only clarify that the processor is separate from the data storage media ***".

Accordingly, Applicant has amended the independent Claims 1, 15 and 40 to recite, e.g. Claim 1 "said computer processor having a user table separate from said data storage media".

Applicant therefore submits that independent Claims 1, 15 and 40, and all claims that depend therefrom are patentable over the cited references.

Applicant additionally submits that Applicant's claimed invention defines over the cited references for other reasons. Applicant repeats some of previous discussions, focussing on the following:

Anderl et al. and Smith are submitted to teach away from a fully portable security system.

In Anderl et al., the application software that provides the authorization and access operations is in an application station, and the application station and card must cooperate in order to gain access. (See page 5, lines 2-11, "The application software

resides in the station and enables the retrieval and modification of information stored in the memory of the card 10. The card 10 runs an executive operating system that is accessed via a set of operating system command primitives. These command primitives manipulate a file system on the card in accordance with rules required by card security", and page 7, lines 12-19, "numbers are manipulated algorithmically to produce an authentication code which is stored in the application file on the card at the time of creation. During subsequent transactions, this code must be favorably compared to a similar code generated independently by the station." (emphasis added)).

Only at a special station is a "MASTER ISSUER", "SUPER USER or DEVELOPER" allowed to employ passwords to access various login levels that are checked internally. From the above, it appears that this special station also cooperates with the card to gain access to the card and provide the command primitives. "The fourth level of security is that retained by the MASTER ISSUER. It is at this level that the card is formatted and from which it is issued. *** Each account in this example is handled by a separate file on the card and only persons or programs with the proper credentials for a particular file may access that file at an appropriate application station." (page 8, lines 6-15) (emphasis added).

Smith is "a value based security system in a computer host system." (column 4, lines 25-27) (emphasis added).

Applicant's claims are submitted to claim a complete security system that is in the data storage cartridge and is portable with the cartridge, not dependent on an application in a station to provide the authentication, and not requiring a special station for various user activities. For example, Claim 1 recites "A portable security system for managing access to a

portable data storage cartridge, ***, said portable security system comprising:

a wireless interface mounted in said portable data storage cartridge ***; and

a computer processor mounted in said portable data storage cartridge separate from said data storage media, and coupled to said wireless interface; *** said computer processor having a user table separate from said data storage media, said user table comprising at least a unique user identifier for each authorized user and at least one permitted activity said user is authorized to conduct with respect to said data storage media, said user identifier, when combined with a user authentication message from said authorized user in accordance with a predetermined algorithm, authorizes said user; said computer processor receiving said user authentication messages from said data storage drive via said wireless interface, combining said user authentication message with at least part of said user identifier from said user table in accordance with said predetermined algorithm to authorize or deny said user activity, and transmitting said user authorization or denial to said data storage drive via said wireless interface."

Applicant's dependent claims emphasize this difference, detailing the various activities that a user may conduct, if authorized, and detailing the authorization process.

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Accordingly, Applicant believes the present invention distinguishes over the cited patents and respectfully requests that the Examiner allow Applicant's Claims 1-28 and 40-50 under 35 U.S.C. 103.

Respectfully submitted,
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